

REMARKS

The Office action of March 10, 2010, has been carefully considered.

Objection has been raised to Claims 13-26 based upon inconsistent terminology. Applicants have now amended the claims to correct the terminology cited in the Office action.

Claims 13-16 have been rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. The Office action states that Applicants claim a referencing system with respect to a support means or a duplicate, but that it is no clear how this can be done since the sections do not have reference markers.

However, the specification discloses that the sections do have reference markers, in a manner corresponding to the claims.

Thus, paragraph [0036] of the application as published states that "... the base plate 16 exhibits reference marks, which make or form a referencing." Similarly, paragraph [0023] of the application as published states that "[i]t is especially provided that geometrical properties of the base plate and/or markings are used as references. Possible markings may be points or lines on the base plate. Geometric properties to be mentioned preferably are delimitations such as edges or surfaces of the base plate."

Moreover, paragraph [0027] of the application as published states that a "referencing may, however, also take place directly after taking the casting. Thus, an impression spoon may for example be realized, such that references are obtained in the casting. Other analogous measures are possible as well. References may also be applied directly to the casting."

In a corresponding manner, Claim 13 as now amended

recites "the improvement comprising storing in a computer a referencing of a support means for the duplicate or a referencing on the duplicate produced during fabrication of the duplicate."

Thus, Claims 13-16 correspond to the cited disclosure, and withdrawal of this rejection is requested.

Claims 13-26 have been rejected under 35 USC 112, second paragraph, as being indefinite.

With regard to the cited limitation of "separately placing sections of the duplicate together..." Claim 13 has been amended to correct the prior recitation. Thus, Claim 13 now recites "separately placing sections of the duplicate together with corresponding sections of the support means connected thereto in a holding device and determining with a sensor geometry of each section." It is now clear that sections of the duplicate together with corresponding sections of the support means connected thereto are placed in a holding device.

The Office action also objects to the term "determining said referencing allocated to said sections."

As noted, the support means or the duplicate is provided with a referencing stored in a computer. When measuring the single sections of the duplicate together with corresponding sections of the support means, the referencing is determined, i.e. the referencing allocated to the section. Because the total referencing is stored in the computer, a spatial allocation of single sections measured is possible, and that is what is being recited in Claim 13.

A question has also been raised regarding the term "duplicate sections determining its design are removed from the duplicate and form data to be allocated to the forms of the sections is determined and stored in a computer."

Claim 13 has now been amended to change "its design" to "dental restoration geometry." In other words, as the duplicate sections are scanned, the results determine the outer form of the duplicate sections, and this form is then used for the design of the restoration in the region where the restoration is connected to the duplicate sections. Moreover, the outer geometry of the duplicate sections defines the inner geometry of the restoration.

Concerning the objection to Claim 17, this claim has now been amended such that the storing step stores in a computer the references of the base plate, referring back to the previous attaching step.

Finally, the Office action notes that each of the independent claims includes a limitation of the referencing system stored in the computer being a system located on the duplicate or on the base plate. It is unclear what the objection is here, since the independent claims both recite that the referencing may be on the base plate or on the duplicate; either of these referencings may be stored in the computer, and may be used for the step of individually referencing the duplicate sections as to spatial allocation.

Withdrawal of the rejection is requested.

Claims 13-26 have been found to be allowable over the art.

Should the Examiner believe that further amendments and/or explanations are necessary before this application can be allowed, she is invited to telephone the undersigned attorney to discuss such requirements before issuing an Advisory Action.

In view of the foregoing amendments and remarks, Applicants submit that the present application is now in condition for allowance. An early allowance of the

application with amended claims is earnestly solicited.

Respectfully submitted,



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